

Message Text

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FOR US DEL LOS

FOL RPT ANKARA 3192 ACTION SECSTATE INFO ATHENS BRUSSELS
COPENHAGEN NICOSIA THE HAGUE ADANA ISTANBUL IZMIR USNATO
USDOCOLANDSOUTHEAST USDOCOSOUTH USCINCEUR 25 APR 78 QUOTE

UNCLAS ANKARA 3192

USEEC

E.O. 11652: N/A
TAGS: PEPR, PBOR, PLOS, TU, GR, ICJ
SUBJECT: TURKISH RESPONSE DENIES ICJ JURISDICTION IN AEGEAN
DISPUTE WITH GREECE

REF: A) 77 THE HAGUE 3677 (191427Z JUL 77), B) 77 ANKARA 6380
(261213Z AUG 77)

1. A FEW TURKISH NEWSPAPERS APRIL 25 CARRIED NEWS OF MFA
ANNOUNCEMENT OF FILING WITH INTERNATIONAL COURT OF JUSTICE
(ICJ) ON APRIL 24 OF TURKISH RESPONSE TO JULY 18, 1977
GREEK MEMORIAL TO THE COURT ON ISSUE OF ICJ'S JURISDICTION
IN THE TURKISH-GREEK DISPUTE OVER THE AEGEAN SEABED. THE
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RESPONSE, IN THE FORM OF A LETTER, REITERATED THE TURKISH
VIEW THAT THE ICJ HAS NO JURISDICTION IN THE CASE AND STATED
THAT THE GOT DOES NOT INTEND TO PRESENT A COUNTER-MEMORIAL
TO THE GREEK SUBMISSION (DEADLINE FOR COUNTER-MEMORIAL WAS
APRIL 24) OR TO APPOINT AN AGENT TO REPRESENT TURKEY BEFORE
THE ICJ IN THE MATTER.

2. ACCORDING TO PRESS REPORTS CONFIRMED IN GENERAL TO EMBOFF BY MFA OFFICIAL, THE TURKISH LETTER STATES THAT "GREECE'S APPLICATION TOOK PLACE BEFORE MEANINGFUL NEGOTIATIONS HAD BEEN HELD BETWEEN THE TWO COUNTRIES" AND THAT "IT HAS BECOME CLEAR THAT A SOLUTION ON THIS TOPIC DEPENDS ON MUTUAL CONSENT REACHED THROUGH MEANINGFUL NEGOTIATIONS." THE LETTER REPORTEDLY ALSO NOTED THAT THE UN SECURITY COUNCIL, TO WHICH GREECE HAD APPLIED AT THE SAME TIME AS ITS ORIGINAL APPLICATION TO THE ICJ (AUGUST, 1976), HAD "RECOMMENDED THAT THE TWO SIDES HOLD NEGOTIATIONS ON A PRIORITY BASIS." THE LETTER, WHICH ALSO REFERRED TO THE NOVEMBER, 1976 BERN AGREEMENT BETWEEN THE TWO COUNTRIES ON THE HOLDING OF NEGOTIATIONS, SAID THAT "THE CONTINUATION AT THE ICJ OF THE JUDICIAL PROCESS IS UNSUITABLE TO THE CONTINUATION... OF OPEN AND MEANINGFUL NEGOTIATIONS."

3. THE TURKISH LETTER REPORTEDLY CONTINUED, "THE TOPICS CONCERNING TURKEY AND GREECE IN THE AEGEAN BEAR A MAJOR POLITICAL QUALITY DUE TO THEIR CONCERNING THE TWO COUNTRIES' NATIONAL AND POLITICAL RELATIONS AND THE DELICATE BALANCE CREATED IN THE REGION BY THE LAUSANNE AGREEMENT." THE LETTER CONCLUDES, "UNDER THESE CONDITIONS, THE TURKISH GOVERNMENT IS OF THE OPINION THAT THE COURT HAS NO AUTHORITY TO LOOK AT THE GREEK APPLICATION AND THAT THIS APPLICATION AND THE COURT PRESENTLY HAVE NO PART IN THE SOLUTION OF THE DIFFICULTIES BETWEEN THE TWO COUNTRIES; THEREFORE, AN AGENT UNCLASSIFIED

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WILL NOT BE APPOINTED AND A COUNTER-MEMORIAL WILL NOT BE PRESENTED. WE ARE CERTAIN THAT THE COURT WILL DETERMINE THAT IT HAS NO JURISDICTION."

4. EMBASSY HAS ASKED THE MFA FOR TEXT OF LETTER TO THE ICJ. SPIERS

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